IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 17750 of 2007(K)

PETITIONERS:

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1. P.M. IBRAHIM LABBA,
MOTHEEN KUNNEL HOUSE,
ERATTUPETTA, KOTTAYAM DISTRICT.

2. YOUNUS LABBA,
NEDUMPURATH HOUSE,
ERATTUPETTA, KOTTAYAM DISTRICT.

3. P.M. RASHEED,
PUTHUPARAMBIL HOUSE,
ERATTUPETTA, KOTTAYAM DISTRICT.

4. P.M. HARIS,
PUTHUPARAMBIL HOUSE,
ERATTUPETTA, KOTTAYAM DISTRICT.

BY ADV. SRI.V.K.MOHAMMED YOUSUF

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY SECRETARY TO
REVENUE DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR,
KOTTAYAM.

3. TAHASILDAR,
PALAI.

4. SURVEY SUPERINTENDENT
RE SURVEY OFFICE, PALAI

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.17750 OF 2007

DATED THIS THE 11th DAY OF JUNE, 2007

JUDGMENT

The petitioners challenge Ext.P1 notice. According to the petitioners, although Ext.P1 is only a show cause notice and the petitioners have filed Ext.P10 objections, at any time the respondents may evict the petitioners from the property. I cannot assume that the responsible officers like the respondents, who after issuing Ext.P1 show cause notice would act without compliance with the procedure prescribed under the Kerala Land Conservancy Act and Rules especially since it is incumbent on the respondents to pass a speaking order after affording the petitioners an opportunity of being heard and opportunity to adduce evidence. That being so, I am not inclined to entertain this writ petition at this juncture.

Accordingly, the writ petition is closed.

S. SIRI JAGAN, JUDGE

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